

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA**

THE COLONIAL BANCGROUP, INC.,

Plaintiff,

v.

ROBERT E. LOWDER, et al.,

Defendants.

Civil Action No: 2:09-cv-00182-MHT

STIPULATION OF DISMISSAL

The Colonial BancGroup, Inc. (the "Debtor") and the defendants in this matter (the "Defendants") hereby stipulate to the dismissal with prejudice, costs taxed as paid, of the above-captioned civil action pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

The undersigned parties agree that the dismissal of this action does not preclude any claim against the Defendants or any other "Insured Person" (as that term is defined in the Debtor's director and officer insurance policies) by the Federal Deposit Insurance Corporation as receiver for Colonial Bank or in its corporate capacity, or by any other governmental or regulatory agency asserted in any criminal, administrative, or civil action.

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Dated: June 5, 2012

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was electronically served by transmission of Notices of Electronic Filing generated by CM/ECF to persons registered as of issuance of filing or by first class U.S. mail, postage pre-paid, as listed below:

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This 5th day of June, 2012.

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